

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

| | | |
|------------------------------------|---|---------------------------|
| ALICIA LEWIS, |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | No. 3:10-CV-2579-D |
| |) | |
| CITY OF WAXAHACHIE, ET AL., |) | |
| Defendants. |) | |

ORDER

After making an independent review of the pleadings, files, and records in this case, the findings, conclusions, and recommendation of the magistrate judge, and plaintiff's objections, the court concludes that the findings and conclusions are materially correct. It is therefore ordered that the findings, conclusions, and recommendation of the magistrate judge are adopted.

Plaintiff's claims against defendants City of Waxahachie, Ellis County, County Clerk Cindy Polley, Judge Gene Calvert, and Judge Don Metcalf are dismissed with prejudice.


Plaintiff's claims against District Attorney Joe Grubbs ("Grubbs") are dismissed with prejudice, except that her defamation claim against him is permitted to proceed, and the clerk of court is directed to issue a summons to be served on Grubbs by the United States Marshals Service.

Plaintiff's claims against Sheriff Johnny Brown ("Sheriff Brown") are dismissed with prejudice, except that her claim regarding her flooded cell is permitted to proceed, and the clerk of court is directed to issue a summons to be served on Sheriff Brown by the United States Marshals

Service.

SO ORDERED.

June 28, 2011.



SIDNEY A. FITZWATER
CHIEF JUDGE